

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4, 6-17, and 20 are presently active in this case, Claims 1-4 and 6-9 having been amended by way of the present Amendment. Care has been taken such that no new matter has been entered.

Claims 7 and 16 have been allowed. Claim 7 has been amended to improve grammar.

In the outstanding Official Action, Claims 1-4, 6, 8-15, 17, and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 2000-158096. For the reasons discussed below, the Applicants request the withdrawal of the anticipation rejection.

In the Office Action, the JP 2000-158096 reference is indicated as anticipating independent Claims 1 and 9. The Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. As will be demonstrated below, the JP 2000-158096 reference clearly does not meet each and every limitation of independent Claims 1 and 9.

Claim 1 of the present application recites a casting apparatus comprising, among other features a die that has an opening section above the die, a lid and a lid moving structure configured to rotatably move the lid relative to the die and configured to control an opening amount of the opening section above the die. Claim 9 recites a casting apparatus comprising, among other features, a die having an opening section, a lid, and means for adjusting an opening amount of the opening section according to a flow amount of the inert gas to the

surface of the molten metal, wherein the means for adjusting is configured to rotate the lid relative to the die. The Applicants submit that the JP 2000-158096 reference does not disclose all of the above limitations of Claims 1 and 9.

The JP 2000-158096 describes a casting apparatus that includes a mold (2) and a cover (6) disposed on a lower end part (5a) of a gas tube (5). The JP 2000-158096 reference does not disclose or even suggest a structure that is configured to rotatably move the cover (6) relative to the mold (2), or means for adjusting an opening amount of an opening section where the means for adjusting is configured to rotate the cover (6) relative to the mold (2). The JP 2000-158096 reference does not discuss or suggest any structure or means configured to rotate the cover (6), which is disposed on a lower end part (5a) of the gas tube (5).

Since the JP 2000-158096 reference does not disclose all of the limitations recited in Claims 1 and 9 of the present application, the JP 2000-158096 reference does not anticipate these claims. Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection of independent Claims 1 and 9.

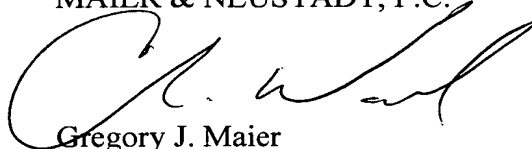
The dependent claims are considered allowable for the reasons advanced for the independent claim from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Application Serial No.: 10/625,657
Reply to Office Action dated August 7, 2006

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'G. J. Maier', written over the printed name of Gregory J. Maier.

Gregory J. Maier
Registration No. 25,599
Attorney of Record

Christopher D. Ward
Registration No. 41,367

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

GJM:CDW:brf

I:\atty\cdw\24xxxx\240732US3X\am5.doc